PLANNING COMMISSION REPORT



MEETING DATE: December 15, 2004 ITEM No. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Raintree Corporate Center - 33-ZN-1997#3

REQUEST

Request site plan/stipulation amendments to case 33-ZN-1997#2 on 11+/-acres located at the northeast corner of Raintree Drive and the Loop 101 frontage road with Central Business District (C-2) zoning.

Key Items for Consideration:

- The General Plan designates this area as Employment with a Regional Use Overlay.
- Adjacent land uses are zoned commercial and industrial districts.
- All GLO easements on the site were abandoned in 1999.
- The new site plan provides office uses.
- There is no known opposition.

Related Policies, References:

- 33-ZN-1997#2
- 9-ZN-2004 for the adjacent property to the north is running concurrent with this case.

OWNER

Raintree Corporate Center Holdings LLC 480-627-7000

APPLICANT CONTACT

Kathy Zvara Cavan Investments 480-627-7000

LOCATION

8800 E Raintree Dr



General Plan.

The City General Plan Land Use Element designates the property as Employment with a Regional Use Designation. The Regional Use Designation is intended to encourage land uses that serve a regional market. Regional land uses include corporate offices, major medical and educational facilities, and other uses having a regional draw that enhances the City's employment core and attractiveness to regional markets.

Zoning.

The site is currently zoned Central Business District (C-2), which allows for a variety of commercial and office uses.



Context.

To the north of this property is vacant land zoned (R1-35) for single-family homes. The western 2+/- acres of the land are currently requesting a rezoning to Industrial District (I-1). Further beyond the vacant land are commercial office uses zoned I-1 District. To the south are existing offices zoned Service Residential District, Planned Community Development (S-R, PCD), and beyond the offices are single-family homes zoned R-4, PCD. Beyond the Pima Freeway to the west is the Northsight mixed-use development consisting of existing retail and office buildings. To the east are existing single-story office buildings zoned Industrial Park District (I-1). The nearest residence is located over 500 feet to the east and south of the site.

There is a concurrent rezoning case for the adjacent property to the north (9-ZN-2004), which proposes to rezone the 2-acre property from the R1-35 District to the I-1 District. Both applicants have coordinated shared access stipulations.

History.

In 1998, the property was rezoned from Industrial District (I-1) to Central Business District (C-2) with case 33-ZN-1997#2. The stipulations from that case require all new construction on the property to conform to the approved site plan. The site plan approved in the previous case depicted a more retail orientated plan on the south half with a future hotel on the north half (see Attachment #11).

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

The applicant proposes a new site plan and modified stipulations for the 11+/-acre property at the northeast corner of the Pima Freeway and Raintree Drive. The immediate corner of Raintree and the freeway will be developed with a three-story (36 ft.) office building. The northern portion of the site will comprise of one or more of the following uses in the future: office, retail, and/or hotel. All parking for the site will be at grade or with support parking structure. Access to the site comes from the existing driveway off of Raintree Drive and from the Pima Freeway Frontage Road. The applicant has coordinated cross access agreements with the adjacent north property owner for a secondary access point onto the Pima Freeway Frontage Road.

Development Information.

• Existing Use: Vacant

• *Parcel Size:* 11.5+/- acres

• Building Height Allowed in C-2: 36 feet

• Floor Area Ratio Allowed in C-2: 0.8 of net lot area

• Setbacks: 50 feet adjacent to residential districts

IMPACT ANALYSIS

Land Use.

The proposed site plan shows office uses and parking that are consistent with the regional land uses that promote employment activities intended along the freeway corridor, including manufacturing and processing, research and development, and office operations. Unlike most of the 100+ acre Northsight

development, this site was contingent upon a site plan because of its relation to the nearby residences to the south and east. Since the east half of the site is developed and through neighborhood involvement, the applicant is looking to have a more general site plan approved at the zoning level. A development agreement stipulation from the previous case ensures no drive-thru restaurants at this site and requires that if a hotel is built it will not be an economy type hotel.

Traffic.

The request to modify the site plan and case stipulations will not alter the existing zoning on the site. The allowed land uses will not change with this application. Much of the retail development that was planned for this site has occurred on the west side of the freeway in the Northsight Development. The proposed development plan is comprised of primarily general office land use with some support retail land use. It is not anticipated that there will be an increase in site-generated traffic.

Primary site access will be from Raintree Drive and the Pima Freeway frontage road. The site also has access to 90th Street established by cross access easements. Staff has been working with the applicant and the adjacent property owner to secure a cross access easement with the property to the north, which will provide secondary access to the Pima Freeway Frontage Road.

Water/Sewer.

There exist water and sewer lines along the Pima Freeway Frontage Road and Raintree Drive. The developer of this property will be responsible for extending lines necessary to serve this site.

Police/Fire.

The site plan is not expected to impact police or fire services. The nearest fire station is located within two miles of this site at Raintree Drive and Hayden Road.

GLO Easements.

In 1999, the City abandoned its interest in the Government Land Office (GLO) patent easements found throughout the site (Case 8-AB-1999). On the adjacent property to the north, the GLO easement along the southern property line is still in place. That applicant is proposing a cross access easement in the same location as the GLO easement along that south property line to provide access to the subject property in this case.

Community Involvement.

The surrounding property owners have been notified, the site has been posted, and the applicant held an open house to discuss the new site plan. Other than from an adjacent property owner, there has been little or no interest from surrounding property owners. The applicant has coordinated cross access agreements with the adjacent property owner to the north to a secondary access to the Frontage Road. Other than general inquires, there has been no comment regarding this proposal.

Case No. 33-ZN-1997#3

Community Impact.

The revised site plan meets the intent of the General Plan Land Use and Regional Use Overlay by providing a corporate office type development. The site plan is appropriate from a traffic standpoint by utilizing already developed master circulation plans and access points. The change in site plan is reflective of the more retail oriented development occurring to the west in the Northsight development. The result of the site plan modification allows the potential for two corporate office uses with direct freeway frontage and access.

STAFF

Recommended Approach:

RECOMMENDATION

Staff recommends approval, subject to the attached stipulations.

RESPONSIBLE

Planning and Development Services Department Current Planning Services

DEPT(S)

Bill Verschuren

Senior Planner 480-312-7734

STAFF CONTACT(S)

E-mail: bverschuren@ScottsdaleAZ.gov

APPROVED BY

Bill Verschuren Report Author

Kurt Jones, AICP

Director, Current Planning

ATTACHMENTS

- 1. Applicant's Narrative
- 2. Context Aerial
- 2A. Aerial Close-Up
- 3. Land Use Map
- 4. Zoning Map
- 5. Stipulations
- 6. Additional Information
- 7. Citizen Involvement
- 8. City Notification Map
- 9. Proposed Access Exhibit
- 10. Reciprocal Access Easement Exhibit B
- 11. Approved Site Plan from Case 33-ZN-97#2
- 12. Proposed Site Plan

Project Narrative NEC Raintree Drive and Loop 101 Frontage Road

This application concerns the approximate 11.5 acre property located at the northeast corner of Raintree Drive and the Loop 101 frontage road. In 1998 the property was rezoned, in case33-ZN-97#2, from I-1 to C-2, subject to several stipulations. Stipulation number 1 from case 33-ZN-97#2 requires conformance to the approved site plan, which shows retail uses in the southern portion of the property and a three-story hotel in the northern portion of the property. This application seeks to modify the stipulations from case number 33-ZN-97#2 to permit development consistent with the new site plan submitted herewith. (No rezoning is being requested.)

Under the new site plan, the immediate corner of Raintree and the 101 frontage road will be developed with a three-story, approximate 175,000-square foot office building. To the east are single-story, low-scale office buildings and 90th Street. All parking, which will be on-site, will comply with Scottsdale's Zoning Ordinance and will consist of at-grade parking and a parking structure which will serve both the north and south portions of the subject property.

For the northern portion of the property, Cavan has proposed future development which, depending on market conditions, will comprise one or more of the following uses: Office, Retail, and Hotel. All parking for this site shall be on-site either through at-grade parking or with support of the above parking structure.

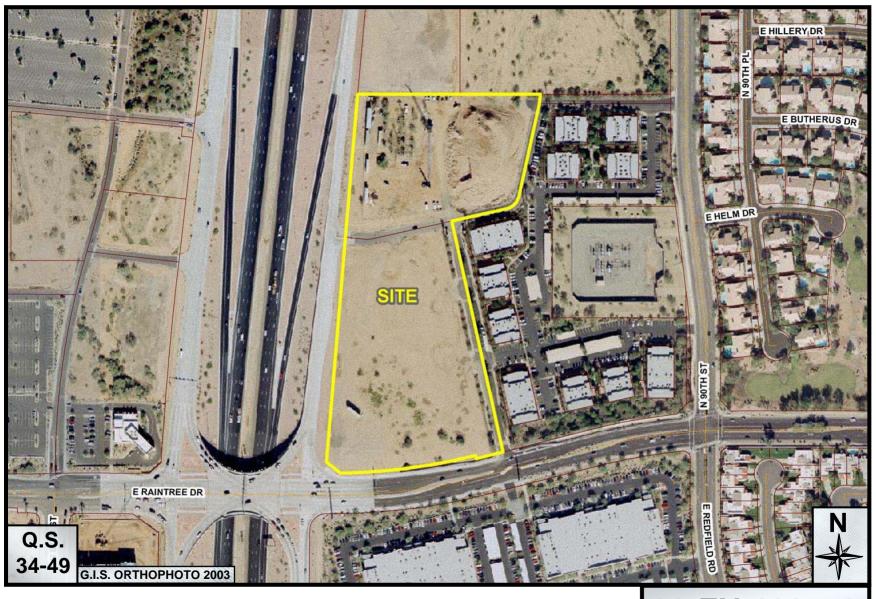
Many of the stipulations from 33-ZN-97#2 have already been satisfied. Other stipulations from 33-ZN-97#2 must be modified to permit development consistent with the new site plan. Therefore, for the sake of clarity, we propose that, as a condition to approval of this application, an entirely new set of stipulations be imposed to expressly supercede any existing stipulations on the property.

We believe this request is consistent with the intent of the General Plan's Regional Use Overlay designation on the property, allowing for a mixed-use employment core that will provide neighborhood and regional economic benefits". The new site plan is designed to offer the type of high-quality mixed-use project that is highly desirable in the Pima Freeway corridor.



Raintree Corporate Center III & IV

33-ZN-1997#3



Raintree Corporate Center III & IV

33-ZN-1997#3

General Plan (Existing) FRANK LLOYD MARGHT BLUD RAINTREE DR NORTHSIGHT REDFIELD RD Rural Neighborhoods Commercial Suburban Neighborhoods Office Urban Neighborhoods Employment Natural Open Space Mixed-Use Neighborhoods Developed Open Space (Parks) Resorts/Tourism Developed Open Space (Golf Courses) Shea Corridor Cultural/Institutional or Public Use Mayo Support District Regional Use District



McDowell Sonoran Preserve (as of 8/2003)

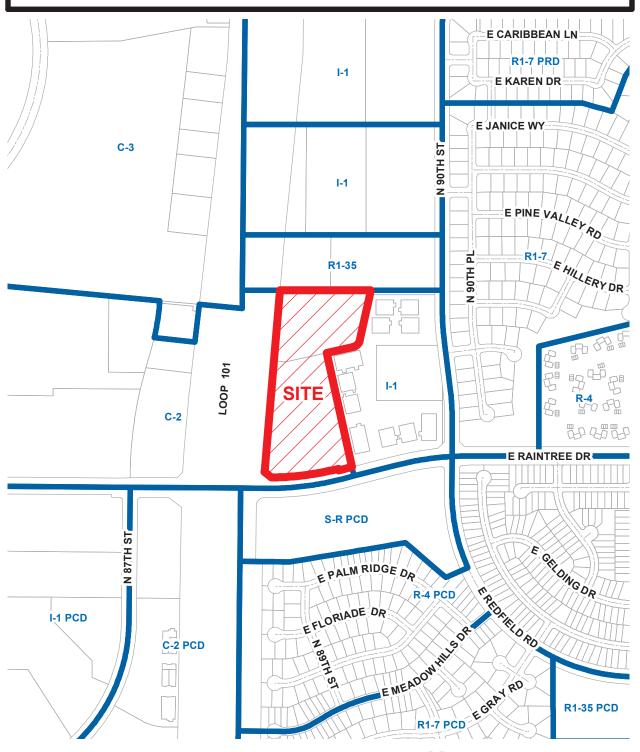
Recommended Study Boundary of the McDowell Sonoran Preserve

City Boundary



Location not yet determined

33-ZN-1997#3 ATTACHMENT #3 Site plan/stipulation amendments to case 33-ZN-1997#2 at the northeast corner of Raintree Drive and the Loop 101 frontage road with Central Business District (C-2)



33-ZN-1997#3

ATTACHMENT #4

STIPULATIONS FOR CASE 33-ZN-1997#3

PLANNING/ DEVELOPMENT

- 1. CONFORMANCE TO SITE PLAN. Development of Parcel #2 and #3 shall conform to the site plan submitted by Patrick Hayes Architecture and dated 12/07/04. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
- 2. PHASING. If the development of the site will be phased, the developer shall provide a detailed phasing plan with the Development Review Board submittal, to the satisfaction of city staff.
- 3. DEVELOPMENT AGREEMENT. Prior to the issuance of a certificate of occupancy for any building on Parcel #2 or #3, the owner shall enter into a development agreement with the city which shall provide the following restrictions:
 - a. A hotel shall be permitted on the site, provided, however, that an economy category hotel shall not be permitted on the site. Economy category shall be defined within the development agreement with reference to annual average room rates pursuant to the City of Scottsdale Tourism Study, as updated, or its equivalent.
 - b. No free-standing retail pad shall be used for a drive-thru restaurant.

CIRCULATION

- 1. ACCESS RESTRICTIONS. Primary site access will be from existing driveways on Raintree Drive and Pima Freeway Frontage Road.
- 2. EASEMENT REQUIREMENTS. Before Development Review Board approval for A.P.N. 217-15-944, the developer shall dedicate an access easement across the northern portion of the parcel in a form acceptable to city staff. The access easement shall be a minimum 30 feet wide and dedicated in the location labeled "Proposed Easement (Sherman)" on the Proposed Access Exhibit dated November 24, 2004 (Attachment # 9) to provide access from the adjacent parcel to the north (A.P.N. 217-15-035A) to 90th Street across A.P.N. 217-15-944.
- 3. EASEMENT REQUIREMENTS. Before Development Review Board approval for A.P.N. 217-15-944, the developer shall dedicate an additional access easement to provide access to the adjacent parcel A.P.N. 217-15-033 to the north. The access easement shall be dedicated in the location labeled "Future Access Easement (Cavan)" on the Reciprocal Access Easement Exhibit B dated November 24, 2004 (Attachment # 10).
- 4. PEDESTRIAN CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a Pedestrian Circulation Plan for the site, which shall be subject to city staff approval. This plan shall indicate the location and width of all sidewalks and pedestrian pathways.
- 5. PEDESTRIAN ACCESS. With the Development Review Board submittal, the developer shall submit a plan showing a minimum of two pedestrian access ways from Raintree Drive from Parcel# 2 to the northern property line of Parcel# 3 (as shown on the site plan). Of the two pedestrian access ways required, one shall be located on the western side of the parking structure. The other required pedestrian access way shall be located on the eastern side of the parking structure.

ADDITIONAL INFORMATION FOR CASE 33-ZN-1997#3

PLANNING/DEVELOPMENT

- 1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. Wall design,
 - b. The type, height, design, and intensity of proposed lighting on the site,
 - c. Improvement plans for common open space, common buildings and/or walls, and amenities such as landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - d. Signage.

ENGINEERING

- RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be
 responsible for all improvements associated with the development or phase of the development
 and/or required for access or service to the development or phase of the development.
 Improvements shall include, but not be limited to washes, storm drains, drainage structures,
 water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street
 signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city
 to provide any of these improvements.
- 2. FEES. The construction of water and sewer facilities necessary to serve the site shall not be inlieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
- 3. CITY CONTROL OF ACCESS. The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

DRAINAGE AND FLOOD CONTROL

- 4. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the <u>Design Standards and Policies Manual</u> Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- verses post-development discharge comparison of ALL washes which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the <u>Scottsdale Revised Code</u>.
 - e. Include a complete description of requirements relating to project phasing.

- 5. FINAL DRAINAGE REPORT. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the <u>Design Standards and Policies Manual</u> Drainage Report and Preparation. In addition, the final drainage report and plan shall:
 - a. Demonstrate consistency with the approved amended Master Drainage Report, entitled "Master Drainage Report Update Raintree Village and Raintree Corporate Center".
 - i. Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - ii. Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - b. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
- 6. STORM WATER STORAGE REQUIREMENT. Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, Vr, and the volume provided, Vp, using the 100-year, 2-hour storm event.
- 7. STORM WATER STORAGE REQUIREMENT. On-site storm water storage is required for the full 100-year, 2-hour storm event, unless city staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
 - a. If applicable, the developer shall submit to the Community Development Division a Request for Waiver Review form, which shall:
 - i. Include a supportive argument that demonstrates historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - ii. Include an estimate for payment in-lieu of on-site storm water storage, subject to city staff approval.
 - b. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained the waiver approval.
- 8. STORM WATER STORAGE EASEMENTS. With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
- 9. DRAINAGE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the <u>Scottsdale Revised Code</u> and the <u>Design</u> Standards and Policies Manual, all drainage easements necessary to serve the site.

WATER

- 10. BASIS OF DESIGN REPORT (WATER). Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the <u>Design</u> <u>Standards and Policies Manual</u>. In addition, the basis of design report and plan shall:
 - Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
 - b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.

- 11. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
- 12. NEW WATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the city Water System Master Plan.
- 13. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the <u>Scottsdale Revised Code</u> the <u>Design Standards and Policies Manual</u>, all water easements necessary to serve the site.

WASTEWATER

- 14. BASIS OF DESIGN REPORT (SANITARY SEWER).). Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the <u>Design Standards and Policies Manual</u>. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
- 15. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
- 16. NEW WASTEWATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the city <u>Wastewater System Master Plan</u>.
- 17. SANITARY SEWER EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the <u>Scottsdale Revised Code</u> and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.

OTHER REQUIREMENTS

18. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site http://www.epa.gov/region.

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
- b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) to the EPA.

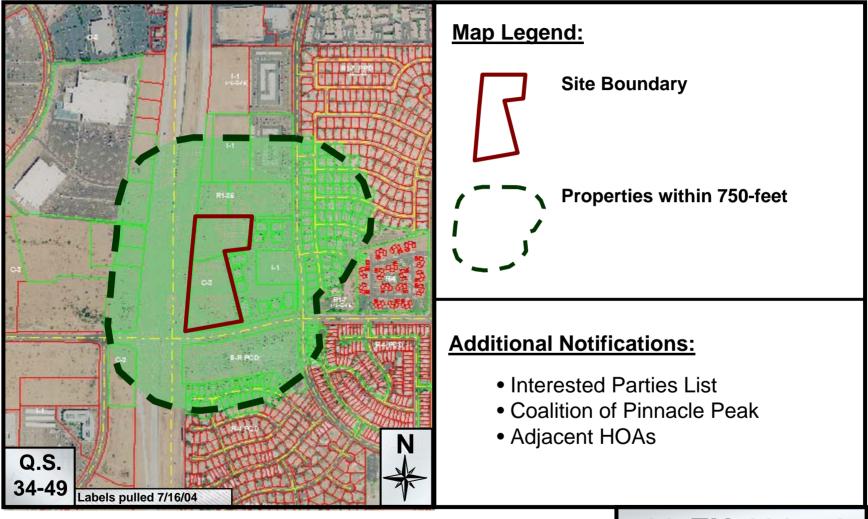
- 19. NOTICE OF INTENT (NOI). With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a copy of the NOI.
- 20. SECTION 404 PERMITS. With the improvement plan submittal to the Project Quality/Compliance Division, the developer' engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
- 21. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
- 22. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
- 23. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - i. Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - ii. Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Builts, as issued by the MCESD.
 - iii. Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - iv. Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - v. Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

Raintree Coporate Center 33-ZN-1997#3

Attachment #7. Citizen Involvement

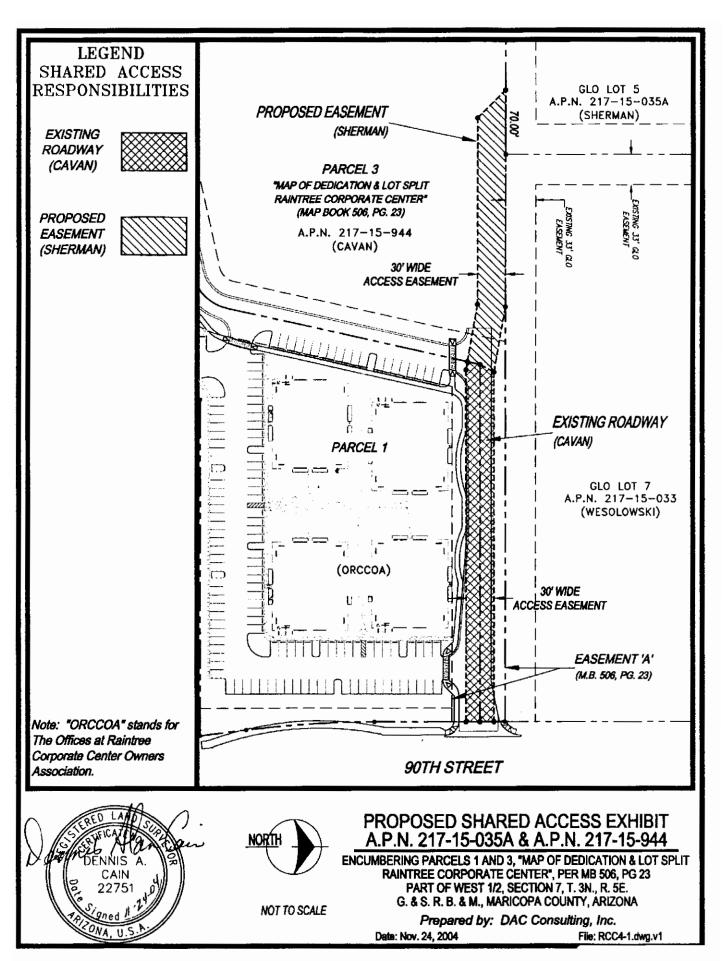
The above attachment is on file at the City of Scottsdale Current Planning office, 7447 E Indian School Road, Suite 105.

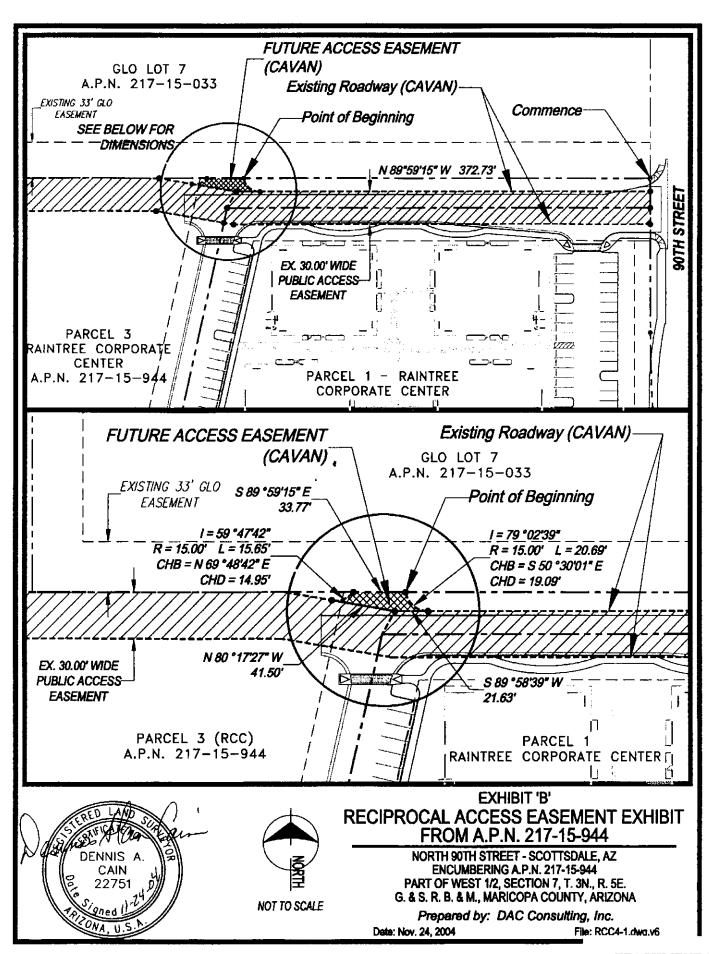
City Notifications – Mailing List Selection Map



Raintree Corporate Center

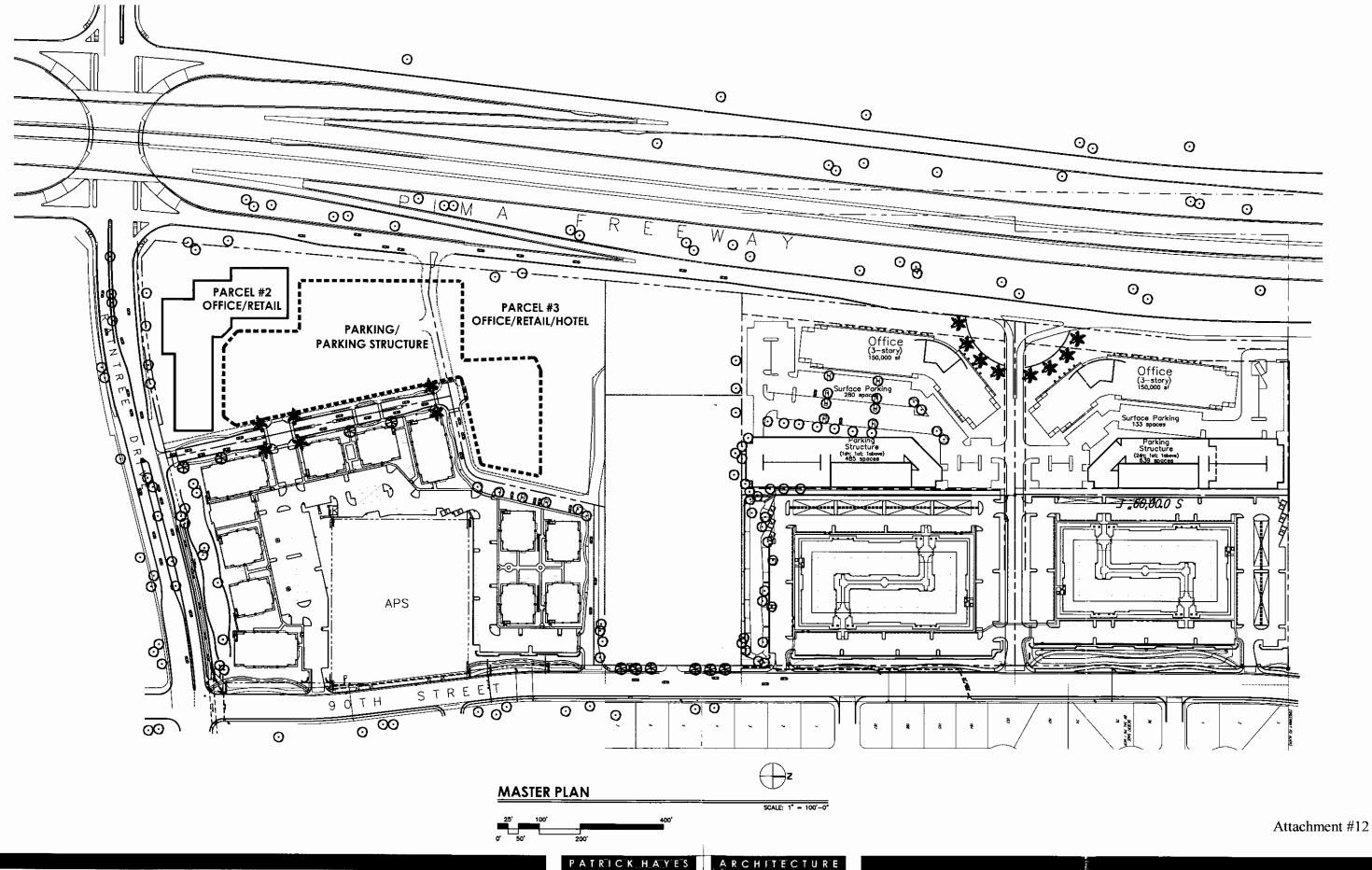
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PIMA ROAD AND RAINTREE DRIVE
SCOTTSDALE. ARIZONA A102 CENTER

ATTACHMENT #R



Raintree Corporate Center III & IV
NEC Raintree Drive & 101 Frontage Road
Scottsdale, Arizona

Cavan Real Estate Investments CAVAN